

REMARKS

Claims 24, 26-30, and 36-39 are pending in this application (Applicants note that the Examiner's identification of the pending claims set forth in item 4) of the Office Action Summary omits claim 36).

Applicants have amended claims 24, 36, and 37. The changes to these claims made herein do not introduce any new matter.

Rejections Under 35 U.S.C. § 103

Applicants respectfully request reconsideration of the rejection of claims 24, 26-30, 37, and 39 under 35 U.S.C. § 103(a) as being unpatentable over *Ogiwara et al.* ("*Ogiwara*") (US 7,161,701 B2) in view of *Yoshida et al.* ("*Yoshida*") (US 7,154,619 B1) and further in view of *Hino* (US 2002/0060802 A1). As will be explained in more detail below, the combination of the *Ogiwara*, *Yoshida*, and *Hino* references would not have rendered the subject matter defined in independent claims 24 and 37, as amended herein, obvious to one having ordinary skill in the art.

Applicants have amended each of independent claims 24 and 37 to clarify i) that the objects are independent image files, and ii) that the second script specifies one of the objects which was first printed by the image output device in the single page layout of the interrupted print operation. Support for these changes to the claims can be found in, for example, Figure 27 and the description of this drawing set forth in the specification.

In support of the obviousness rejection, the Examiner alleges that *Ogiwara* discloses the claimed second script at column 14, lines 34-37 (see the Office Action at page 4). Applicants respectfully submit that the Examiner's characterization of the *Ogiwara* reference is not applicable to the presently claimed subject matter. In particular, as column 14, lines 26-30 of *Ogiwara* assumes that the user determines that the error does not inhibit the continuation of printing to establish the "restart of the printing," the print file request that is

alleged to be equivalent to the claimed second script would merely designate the object which will be first printed in the restarted printing, and *Ogiwara* does not discuss whether the object which will be first printed in the restarted printing was first printed in the single page layout of the interrupted printing, as required in present claims 24 and 37.

In further support of the obviousness rejection, the Examiner alleges that Paragraph [0066] of the *Hino* reference discloses a plurality of objects allocated in a single page layout (see the Office Action at page 5). However, *Hino* does not disclose or suggest that the objects are independent image files, as required in present claims 24 and 37.

In view of the foregoing, even if the *Ogiwara*, *Yoshida*, and *Hino* references were to be combined in the manner proposed by the Examiner, the result of this combination would not have included each and every feature of the subject matter defined in present claims 24 and 37. As such, the combination of the *Ogiwara*, *Yoshida*, and *Hino* references would not have rendered the subject matter defined in present claims 24 and 37 obvious to one having ordinary skill in the art.

Accordingly, independent claims 24 and 37, as amended herein, are patentable under 35 U.S.C. § 103(a) over the combination of *Ogiwara* in view of *Yoshida* and *Hino*. Claims 26-30, each of which ultimately depends from claim 24, and claim 39, which depends from claim 37, are likewise patentable under 35 U.S.C. § 103(a) over the combination of *Ogiwara* in view of *Yoshida* and *Hino* for at least the same reasons set for above regarding the applicable independent claim.

Applicants respectfully request reconsideration of the rejection of claims 36 and 38 under 35 U.S.C. § 103(a) as being unpatentable over *Ogiwara* in view of *Hino*. Independent claim 36 defines an image processing method performed by an image supply device that includes a number of method operations that are either the same as or similar to those specified in independent claim 24. Furthermore, Applicants have amended claim 36 along

the same lines that claim 24 has been amended. As such, the arguments concerning the *Ogiwara* and *Hino* references set forth above with regard to present claim 24 also are applicable to present claim 36.

Thus, even if the *Ogiwara* and *Hino* references were to be combined in the manner proposed by the Examiner, the result of this combination would not have included each and every feature of the subject matter defined in present claim 36. As such, the combination of the *Ogiwara* and *Hino* references would not have rendered the subject matter defined in present claim 36 obvious to one having ordinary skill in the art.

Accordingly, independent claim 36 is patentable under 35 U.S.C. § 103(a) over the combination of *Ogiwara* in view of *Hino*. Claim 38, which depends from claim 36, is likewise patentable under 35 U.S.C. § 103(a) over the combination of *Ogiwara* in view of *Hino* for at least the same reasons set for above regarding claim 36.

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of claims 24, 26-30, and 36-39, as amended herein, and submit that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at **(408) 749-6902**. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. NGBCP005).

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP

/Peter B. Martine/

Peter B. Martine
Registration No. 32,043

710 Lakeway Drive, Suite 200
Sunnyvale, California 94085
Customer No. 25920